

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

MICHAEL T. DREHER,
*Individually and on behalf of a
class of similarly situated persons*

Plaintiff,

Civil Action No. 3:11-cv-624 (JAG)

v.

**EXPERIAN INFORMATION
SOLUTIONS, INC., CARDWORKS INC.,
and CARDWORKS SERVICING, LLC**

Defendant.

JOINT PROPOSED SCHEDULING ORDER

COMES NOW the Plaintiff, Michael T. Dreher, on behalf of himself and those individuals similarly situated, (collectively, “Plaintiff”), by counsel, Defendant Experian Information Solutions, Inc. (the “Experian”), by counsel, and Defendants CardWorks Inc. and CardWorks Servicing, LLC (collectively, “CardWorks”), by counsel, together Plaintiff and the three Defendants are referred to as “the Parties,” to submit their joint proposed scheduling order regarding the individual and class claims in this matter. With respect to individual claims against Cardworks, the Court will schedule a supplemental conference under Fed. R. Civ. P. 16(b) for the purpose of entering a scheduling order and setting a date for the trial of the individual claims.

The Proposed Scheduling Order for the class claims involving Plaintiff and Experian is attached as an exhibit to this pleading pursuant to the Order of the Court on May 24, 2012. (Docket # 36). Plaintiff and Experian have attempted in good faith to reach agreement on a joint proposed scheduling order. However, Plaintiff and Experian disagree as to the elements of and

evidence relevant to proving a claim that Experian “willfully” violated the Fair Credit Reporting Act (“FCRA”). *See* 15 U.S.C. § 1681n. Nevertheless, both Plaintiff and Experian agree that this issue – willfulness – is a uniquely critical one in this case and if possible should be resolved as soon as practicable. Experian has stated its intent to file an early Motion for Summary Judgment as to willfulness, to which the Plaintiff concurs. Both Plaintiff and Experian believe that a decision by the court on summary judgment will allow Plaintiff and Experian to properly value the case for the purpose of settlement if summary judgment is denied.

For these reasons, the Plaintiff and Experian respectfully request the Court enter the jointly proposed scheduling order regarding the class claims. CardWorks takes no position as to this request by Experian and Plaintiff.

Respectfully Submitted:

Michael T. Dreher, individually and on behalf of others similarly situated,

/s/

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Counsel for Plaintiff, Michael T. Dreher

CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of June, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will then send a notification of such filing (NEF) to the following:

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